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November 25, 2024

The request is GRANTED.

VIA ECF

Honorable Arun Subramanian
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, New York 10007

The Clerk of Court is directed to
terminate the motion at Dkt. 138.

SO ORDERED.



Arun Subramanian, U.S.D.J.

Dated: November 26, 2024

Re: *Rodriguez v. Caridad Sea Food Restaurant Corp. et al.*,
CA No. 1:21-cv-06849-AS-JLC

Dear Judge Subramanian:

This firm represents the defendants in the above-referenced matter. We write to inform the Court that we will not be able to Comply with the Court's Order directing that the settlement agreement be submitted for approval today (ECF Doc. No. 137) because one of the defendants is still not in the country and cannot properly execute the settlement agreement.


As the Court is aware, this firm represents 2 corporate and 3 individual defendants in this matter. One of them, Carlos Mendez, was required to travel to the Dominican Republic last week. During our most recent conversation with Mr. Mendez, we were informed that he is traveling back to the United States today but will not be in position to sign the agreement in front of a notary until tomorrow, Tuesday, November 26, 2024, at the earliest. Thus, the parties cannot comply with the Court's Order mandating the submission of a fully executed settlement agreement by today.

In light of these circumstances and recognizing the upcoming Thanksgiving holiday, the parties respectfully request an extension until Monday, December 2, 2024, to submit a fully executed settlement agreement and motion for approval. While we fully appreciate the Court's, previous admonition indicating that it had given its last adjournment, we ask the Court for yet a little more patience in granting us this one last final request.

Plaintiff's counsel has been informed and does not oppose this request. Moreover, as per the agreed upon terms of the Settlement Agreement, Defendant's payments to the Plaintiff do not commence until January 2025. As such, the Plaintiff is not being prejudiced by this request.

We thank the Court for its time and attention to this matter.

Respectfully submitted,



Martin E. Restituyo

cc: All Counsel Via ECF